

APPEAL NO. 020633
FILED APRIL 18, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 22, 2002. The hearing officer determined that the appellant/cross-respondent (claimant) sustained a repetitive trauma injury; that the claimant was unable to work from January 2, 2001, through the date of the hearing due to the injury; that the claimant did not timely report the injury to the employer within 30 days and, consequently, the injury is not compensable; and that the claimant did not have disability. On appeal, the claimant expresses disagreement with the timely notice determination and its resulting effect on the compensability and disability determinations. The respondent/cross-appellant (carrier) responds to the claimant's appeal, urging that the timely notice determination be affirmed. The carrier appeals the determinations that the claimant sustained a repetitive trauma injury and was unable to work because of the injury as being against the great weight and preponderance of the evidence.

DECISION

Affirmed.

We have reviewed the matters complained of by the claimant and the carrier in their respective appeals and conclude that the hearing officer's decision is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **ZENITH INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JAMES H. MOODY II
901 MAIN STREET
DALLAS, TEXAS 75202.**

Chris Cowan
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge